

REMARKS/ARGUMENTS

Claims 1-22 remain in this application. The specification has been amended as suggested by the Examiner. Claims 9 and 10 have been amended to further clarify the claims as requested by the Examiner. Accordingly, no issues of new matter are believed to result from the above amendments to the application.

Objection to Specification

I

The specification was objected to for containing “embedded hyperlinks and/or other form of browser-executed code.” See Page 2 of the Office Action. Applicants have amended page 1 of the specification to remove these webpages. Accordingly, Applicants respectfully request that this objection be withdrawn.

II

The specification was objected to on page 22, line 15 for reciting “camera 10” rather than “camera 11.” See Page 2 of the Office Action. Applicants wish to thank the Examiner for finding this typo, and Applicants have made this correction. Accordingly, Applicants respectfully request that this objection be withdrawn.

Rejection Under 35 USC 112

Claims 9, 10, 17, and 21 were rejected under 35 USC 112 stating that “portion (ii) contradicts portion (i), thereby rendering the claims indefinite.” See Pages 2-3 of the Office Action. Applicants have amended claims 9 and 10 to clarify that the light entering the camera is not filtered with another polarizing filter. Accordingly, Applicants respectfully request that this rejection be withdrawn.

Rejection Under 35 USC 102

Claims 1-22 were rejected under 35 U.S.C. 102 as being unpatentable over Kenet et al. See pages 3-5 of the Office Action. Applicants respectfully disagree.

According to the Office Action, Kenet et al. discloses the method of promoting a skin care product of claim 1. While Kenet et al. discloses taking and standard photographs,

fluorescent photographs, and polarized photographs, and it does disclose the use of photography for use in the choice of color cosmetics, it does not specifically disclose, nor suggest, which type of photographs should be used to promote a skin care product, nor does it teach using multiple types of photographs for such a method as recited in claim 1.

With respect to claim 2, while Kenet et al. does disclose using the images to “assist in other decision making, such as the choice of a cosmetic of the appropriate color (col. 26, lines 54-55),” it does not disclose, nor suggest, “presenting said person with one or more questions relating to said presented photographs” as recited in claim 2. Applicants do not agree that the term “assist” inherently involves asking questions, nor that such questions would relate to the presented photographs.

With respect to claims 3 and 4, while Kenet et al. does disclose the possibility of taking a polarized photograph, as discussed above, it does not disclose, nor suggest, taking such photograph along with a standard photograph, and using such photographs in the methods of claims 3 and 4.

With respect to claims 5 and 6, while Kenet et al. does disclose the possibility of taking an ultraviolet photograph, as discussed above, it does not disclose, nor suggest, taking such photograph along with a standard photograph, and using such photographs in the methods of claims 5 and 6.

With respect to claims 7 and 8, while Kenet et al. does disclose the possibility of taking an ultraviolet photograph, as discussed above it does not disclose, nor suggest, taking such photograph along with a standard photograph and a polarized photograph, and using such photographs in the methods of claims 7 and 8.

With respect to claims 9 and 10, while Kenet et al. does disclose the possibility of taking a polarized photograph, as discussed above, it does not disclose, nor suggest, taking such photograph along with a standard photograph, and using such photographs in the methods of claims 9 and 10.

With respect to claims 11 and 12, while Kenet et al. does disclose the possibility of taking an ultraviolet photograph, it does not specifically disclose, nor suggest, using an ultraviolet A filter. Further, Kenet et al. does not disclose taking such photograph along with a standard photograph and using such photographs in the methods of claims 11 and 12.

With respect to claims 13 and 14, while Kenet et al. does disclose the possibility of taking an ultraviolet photograph, it does not specifically disclose, nor suggest, using an ultraviolet A filter. Further, Kenet et al. does not disclose taking such photograph along with a standard photograph and using such photographs in the methods of claims 13 and 14.


With respect to claims 15, 16, 17, and 18, while Kenet et al. does disclose the possibility of taking multiple photographs with a single camera, as discussed above, it does not disclose, nor suggest, the methods of claim 1, 2, 10, and 14, from which claims 15, 16, 17, and 18, respectively, depend.

With respect to claims 19, 20, 21, and 22, while Kenet et al. does disclose the possibility of "multispectral acquisition" in rapid succession, e.g., photographs using different wavelengths of light, (see col. 11, lines 26-35), it does not disclose taking the multiple types of photographs of claim 1 with a single camera within a period of less than 30 seconds. Further, Kenet et al. does not disclose, nor suggest, the method of claim 15, 16, 17, and 18, from which claims 19, 20, 21, and 22, respectively, depend.

Applicants, thus, respectfully request that the above rejection under 35 USC 102 be withdrawn.

Applicants believe that the new claims are patentable over the prior art cited above. Accordingly, applicants respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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Dated: July 30, 2003